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Attached is a summary of the proceedings of the U. S. Navy Court of Inquiry convened June 10, 1967, to inquire into the circumstances surrounding the armed attack on USS LIBERTY (AGTR-5) on June 8, 1967.

Attached also is the unclassified transcript of the testimony before the Court by the Commanding Officer of the USS LIBERTY, Commander William L. McGonagle, USN.

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SUMMARY OF PROCEEDINGS

A Navy Court of Inquiry has determined that USS LIBERTY was in international waters, properly marked as to her identity and nationality, and in calm, clear weather when she suffered an unprovoked attack by Israeli aircraft and motor torpedo boats June 8 in the Eastern Mediterranean.

The Court produced evidence that the Israeli armed forces had ample opportunity to identify LIBERTY correctly. The Court had insufficient information before it to make a judgment on the reasons for the decision by Israeli aircraft and motor torpedo boats to attack.

LIBERTY fired her .50 cal. machine guns at the aircraft and torpedo boats, but only after she had been attacked and hit.

The Court, convened by Admiral John S. McCain, Jr., USN, Commander in Chief of U.S. Naval Forces in Europe, conducted classified hearings in London and aboard LIBERTY in Malta June 11-17. Rear Admiral I. C. Kidd, USN, was president of the Court, which consisted of himself and Captains Bernard J. Lauff and Bert M. Atkinson, both attached to Admiral McCain's headquarters.

A Court of Inquiry is a formal fact-finding body which takes testimony under oath. It is not a disciplinary court. Convening of such an inquiry is a normal procedure, commonly employed after any serious accident or incident resulting in substantial loss of life or damage to a ship. The fact of its convening does not, of itself, indicate an assumption by the Navy that anyone within the Navy is at fault.

The Court's findings were presented to Admiral McCain and approved by him on June 18, and forwarded to the Navy Department for further review.

It was not the responsibility of the Court to rule on the culpability of the attackers, and no evidence was heard from the attacking nation. Witnesses suggested that the flag may have been difficult for the attackers to see, both because of the slow speed of the ship and because, after five or six separate air attacks by at least two planes each, smoke and flames may have helped obscure the view from the motor torpedo boats. The Court heard witnesses testify, however, to significant surveillance of the LIBERTY on three separate occasions from the air at various times prior to the attack -- 5 hours and 13 minutes before the attack, 3 hours and 7 minutes before the attack, and 2 hours and 37 minutes before the attack.

Inasmuch as this was not an international investigation, no evidence was presented on whether any of these aircraft had identified LIBERTY or whether they had passed any information on LIBERTY to their own higher headquarters.

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The Court affirmed LIBERTY's right to be where she was. A neutral nation, the Court stated, has a legal right to dispatch a ship into international waters adjacent to an area of hostilities. So long as such a neutral ship maintains the impartial attitude of neutrality, the Court pointed out, each belligerent has a duty to refrain from attacking her.

The Court found that LIBERTY entered the Mediterranean June 2, after stopping briefly at Rota, Spain, where she took aboard fuel and provisions. Her orders were to steam at best possible sustained speed to an operating area in the Eastern Mediterranean north of the Sinai Peninsula.

Testimony before the Court showed that LIBERTY arrived in her assigned operating area the morning of June 8. Her orders were to steam in an area bounded on the north by latitude 32N, on the east and west by Longitudes 34 East and 33 East, and on the south by a curved line following the contour of the coast 12.5 nautical miles off the coast.

The U.A.R. claims a 12-mile territorial sea, Israel six miles. The United States claims and recognizes claims of three miles. Thus LIBERTY's operating area was defined to ensure that she would remain in international waters as that term is recognized by all parties concerned, and with some margin to spare. The Court found that she was, in fact, well within her assigned operating area at the time of the attack, and that at no time before or after the attack did she approach closer than 13.6 nautical miles to land. She was under the operational control of Commander Sixth Fleet at the time of the attack.

LIBERTY steamed in her operating area the morning of June 8 in a "modified condition of readiness three." This meant that she had her normal steaming watch on deck, plus one man standing by the forward gun mounts. LIBERTY carries four pedestal-mounted .50-cal. Browning machine guns -- two single mounts on her forecastle and identical mounts on either side of the deck-house aft of the bridge. Under "modified condition three," bridge lookouts would man the two after guns until the crew manned general quarters stations.

LIBERTY steamed southeasterly (130° true) until 8:49 a.m., when she reached the eastern boundary of her operating area and turned to a southwesterly course (253° true). At 8:50, a single unidentified jet crossed her wake, an estimated three to five miles astern, then circled the ship and retired in the direction of the mainland. No signals were exchanged between the ship and the plane. LIBERTY was flying her normal size American flag (5 feet by 8 feet) at the masthead. Her name was painted on her stern in English, and her U.S. Navy distinguishing letters and number on her bow. (Egyptian naval ships carry their names in the cursive Arabic script.) Her

configuration, as shown in the international standard naval identification book, "Jane's Fighting Ships," and her standard markings, were clearly sufficient for the aircraft to identify her properly as the non-combatant ship LIBERTY. She was then steaming at 10 knots.

Jet and propeller aircraft circled the ship again at 10:56 and 11:26 a.m. At these times, the ship was steaming at only five knots.

At 11:32 the ship changed to a west-northwesterly course (283° true). She was on this course and steaming at five knots when the attack began.

From 1:10 p.m., until 1:48 p.m., before the attack, LIBERTY's crew was exercised at general quarters. This was a routine procedure, part of the ship's mandatory training program, established by the Commander Service Force, Atlantic Fleet, and was not related to her mission in the Eastern Mediterranean. Upon completion of the drill, the ship returned to her "modified condition three." At 2:00 p.m., the ship's Commanding Officer, Commander William L. McGonagle, Norfolk, Va., fixed her position by radar as being 25.5 nautical miles from the minaret at El Arish, which was to the southeast (bearing 142° true).

In the Commanding Officer's words: "About 1400 (2 p.m.) the lookouts, who were stationed on the 04 level (above the bridge), reported that jet aircraft were sighted in the vicinity of the ship. At that time, I went to the starboard wing of the bridge with my binoculars and there observed one aircraft of similar characteristics, if not identical, to the aircraft which were sighted earlier in the day and upon which a sighting report had been submitted. The relative bearing of this plane was about 135°, its position angle was about 45 to 50 degrees, its elevation approximately 7,000 feet, and it was approximately five to six miles from the ship. It appeared to be on a parallel course traveling in the same direction as the ship. While I observed this aircraft, I did not see it approach the ship directly in a hostile attitude. Within a couple of minutes, a loud explosion was heard that appeared to me to come from the port side of the ship. (This apparently was a rocket launched by a second aircraft.) I immediately ordered the general alarm to be sounded, and this was done. I went from the starboard wing of the bridge to the port wing to see the area of damage. I immediately noticed that the two 55-gallon gasoline drums stowed on the 01 level (one level above the main deck, two below the bridge), portside amidships, were burning furiously.

"It was evident that it would not be possible to reach the quick release lever by proceeding down the outside port ladders of the ship. I ordered the Executive Officer (LCDR Philip M. Armstrong of Norfolk, Va., later killed in action) to go to the starboard side of the ship and proceed down

to the 01 level, cross over to the port side, and there release the gasoline cans. Lieutenant O'Connor, (LT James G. O'Connor, USNR, of Norfolk, Va.) was still on the bridge and he joined the Executive Officer and both proceeded to the starboard wing of the bridge, 03 level. Approximately the time they reached the top of the ladder to proceed down, the ship received an apparent bomb hit in the vicinity of the whaleboat stowed on the 02 level, starboard side, immediately aft of the bridge. Mr. Armstrong, Mr. O'Connor, and others in the bridge area were thrown back into the bridge and other personnel in the pilothouse were blown from their feet. At this time, I grabbed the engine order annunciator and rang up all ahead ... flank ... (this is an order for maximum speed) ... At this time I ordered a person, who I believe to have been LT Bennett, (LT Maurice H. Bennett of Pittsburgh, Pa.) to report to CNO (Chief of Naval Operations) via the hicom (high command radio circuit) that LIBERTY was under attack by unidentified jet aircraft and that immediate assistance was required."

For the next five or six minutes, aircraft made criss-cross attacks on the ships, hitting her with rockets and machine gun fire. A later count entered into the Court's record, showed 821 separate hits on the ship's hull and superstructure.

Testimony failed to establish an exact number of aircraft involved in the attack. The Court's findings state: "In five or six attacks, from various angles, two or more jet aircraft at a time conducted strafing, rocket, and incendiary attacks."

During this period, the ship gradually built up speed from five knots. Her exact speed during the subsequent minutes -- until she lost all power at about 2:36 -- is not known. Her maximum speed is 18 knots, but it is doubtful that she exceeded 11 or 12 while under attack.

The ship's public address system and many of her internal communication circuits were destroyed by the air attack. The helmsman was seriously injured by the bomb hit on the starboard side. He was immediately replaced by Quartermaster Third Class Francis Brown, of Troy, N. Y., who later was killed. A few moments later, while on the starboard bridge wing, Commander McGonagle received a serious leg wound from shrapnel. "I was not knocked off my feet. I was only shaken up and it made me dance around a little bit, but my injuries did not appear to me to be of any consequence," he told the court of inquiry. "I noticed slight burns on my starboard forearm and I noticed blood oozing on my right trouser leg. Since I could walk and there was no apparent pain, I gave no further consideration to these minor injuries."

At about 2:24, look-outs sighted three high speed boats approaching the ship from the northeast (from the ship's starboard quarter, relative

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bearing 135°), heading for the ship in a triangular formation at a speed of 27 to 30 knots. Since the boats appeared to be making a torpedo run, Commander McGonagle ordered a man from the bridge to man the forward starboard gun mount and take the boats under fire.

It was at this time that Commander McGonagle discovered that LIBERTY's American flag had been shot down. He immediately ordered a signalman to hoist the "holiday ensign" -- the largest flag aboard (approximately 7 by 13 feet) from the yardarm, the normal flag halyard having been destroyed. There was smoke from the burning whale boat and other topside fires in the vicinity of the bridge.

Commander McGonagle passed the word, "Stand by for torpedo attack." He held his course, since turning away from the boats would bring the ship closer to land, and turning toward them would swing the ship broadside toward the attackers, giving them a larger target.

When the boats were approximately a mile away, the center boat was seen to be flashing a signal light. Because of smoke and flames just aft of his starboard bridge wing -- in the direction from which the boats were approaching -- Commander McGonagle could not read the signals, but he was able to see what he believed at the time to be an Israeli flag. As the air attack had knocked out LIBERTY's starboard signal light, he attempted to signal with a hand-held Aldis lamp. This may not have been powerful enough to penetrate the smoke pouring from the fires started by the attackers. Believing that the air attack might have been an error, he immediately shouted to the starboard forward gun to withhold fire. The gunner fired a short burst at the PT boats before he understood the Commanding Officer's order. At the same time, the after gun on the starboard side opened fire.

Because of the whaleboat fire on the starboard side, between the bridge and the gun mount, it was necessary to send an officer aft on the port side to pass the word to the starboard gunner to cease firing. ENS. [redacted] Lucas, USNR, of Virginia Beach, Va. (who was wounded earlier and, unknown to himself, had a piece of shrapnel lodged in his forehead) ran aft on the 03 (bridge) level portside. "The first thing I noticed," he testified to the Court, "was that the mount 54 (on the port side) was vacant. The flames . . ." (from the burning gasoline cans) "had reached mount 54 and chased everyone out of there. I ran back to mount 54, looked over the skylight from the engineering spaces." (This skylight is on the centerline of the ship just aft of the stack. It stands about three feet high and is perhaps ten feet wide, dividing the 03 level at this point into port and starboard areas which meet several yards aft of the gun mounts, aft of the skylight structure. It is possible to look over the skylight, but not to cross it. There is no deck above the 03 level aft of the bridge.)

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ENS. Lucas continued: "I had a clear view of mount 53 (the starboard mount, which was firing) from, say, the waist level up, and there was no one on mount 53. The flames from the motor whaleboat were coming over the lip of the mount. I assume that the bullets that were in the gun, or bullets that were in the ready service ammunition box, very near there, were cooking off and firing." Apparently by accident, this gun was firing in the direction of the attacking boats.

At this time, the PT's opened fire with their gun mounts, killing the Quartermaster Brown at the helm, and in a matter of seconds one torpedo was noted crossing astern of the ship at about 25 yards. The time was then 2:34. A minute later, a second torpedo struck the ship on the starboard side, immediately forward of the bridge and a few feet below the water line.

The torpedo explosion tore a hole in the side of the ship that extended from a few feet above the water line to below the turn of the bilge. It was shaped like a tear-drop, and was 39 feet across at its widest point. Its immediate effect was to flood all compartments on two decks below the water line, from frame 53 to frame 66. These frames support water-tight bulkheads, and mark the location of what was "number two hold" when LIBERTY was a merchant cargo ship before her conversion for Navy use. LIBERTY used the spaces for store rooms and her research department.

Twenty-five men died in the blast. Those few not killed outright escaped from the compartments. The Court heard testimony from witnesses, including a salvage expert, who stated that beyond a shadow of a doubt those who died there were killed instantly by the blast. None could have survived, trapped in the compartment, to die of suffocation or drowning.

The torpedo did not start a major fire, probably because of the immediate flooding of the affected area. LIBERTY immediately took on a nine-degree list to starboard. Power and steering control were lost temporarily, and the ship came to a dead stop.

The three torpedo boats also stopped, less than a half mile astern of the stricken ship. One signalled in English, "Do you need assistance?" Commander McGonagle, not being able to signal by light, ordered a signalman to hoist the international flag signal for "not under command," meaning that the ship was out of control.

Two or three minutes later, two helicopters bearing a Star of David marking approached and circled the ship several times. At 3:19, power was restored, but steering control could not be regained from the bridge. It was necessary to give rudder orders by telephone to men in the "after steering" compartment, and for some time they operated the ship's heavy rudder by hand. The helicopters departed, returned, and departed again, and a pair of jet aircraft circled the ship, but there were no further attacks.

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By 4 p.m., Commander McGonagle's wounds were giving him a great deal of pain and he was suffering from loss of blood. The ship's doctor had seen him on the bridge, but had made no effort to get him below to a battle dressing station. "The Commanding Officer at that time was like a rock upon which the rest of the men supported themselves," the doctor told the court. "To know that he was on the bridge grievously wounded, yet having the conn and helm and through the night calling every change of course, was the thing that told the men 'we're going to live.' When I went to the bridge and saw this, I should say that I knew that I could only insult this man by suggesting that he be taken below for treatment of his wounds. I didn't even suggest it."

Ensign Lucas told the court, "It would have taken ten men the doctor's size to even begin to get him off the bridge."

"He was in great pain," Ensign Lucas testified, "there were several times when he was still walking around, but it was obvious that he was in great pain. He had lost a considerable amount of blood. At several times he felt dizzy. He would not leave, but if he started to get dizzy he would turn to me, or if Mr. Bennett or Mr. Painter were there, he would say this is what course we're on, what speed to make. He would give instructions."

At about 4 p.m. he lay on the deck while others applied a tourniquet to his thigh. At other times, when he felt faint, he lay on the deck of the bridge wing with his leg propped high, and continued to conn the ship, sometimes by watching her wake.

Lieutenant Richard F. Kiepfer, MC, USN, of Brooklyn, New York, the ship's medical officer, performed one major operation and gave emergency treatment to wounded men as best he could. He manned the main battle dressing station, together with one hospital corpsman, while the other corpsman operated a secondary battle dressing station in the forward part of the ship. Both stations were flooded with seriously injured men, and for a time there was little opportunity to do more than give first aid. Bleeding was stopped, men were given morphine for pain and treated for shock. Lung wounds were treated to ease breathing. The most seriously wounded men were transferred to the aircraft carrier AMERICA the following day. By that time the doctor and his two corpsmen had been on their feet, giving emergency treatment, for 28 hours. "Any time we needed one volunteer, we'd get ten," he testified. "If anything had to be done...there were hands everywhere. When we asked for two pints of blood for transfusion, we had people on the adjoining tables who were saying, 'If you need some, I have this type.' These were people already wounded."

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The Court found that "from the time of the first air attack onward, attackers were well coordinated, accurate and determined. Criss-crossing rocket and machine gun runs from both bows, both beams and quarters effectively chewed up the entire topside, including ship control and internal communications -- sound powered -- network. Well directed initial air attacks had wiped out the ability of the four .50 cal. machine guns to be effective."

"The heroism displayed by the Commanding Officer, officers and men of LIBERTY was exceptional," the Court reported, "The Commanding Officer is being recommended for an appropriate award and the ship for an appropriate unit citation. These planned actions are fully supported by testimony to the Court."

"It is the opinion of the convening authority that USS LIBERTY was operating in international waters in conformance with the most recent guidance received by her, provided by competent authority," Admiral McCain wrote in his endorsement forwarding the Court record to the Department of the Navy.

Admiral McCain's endorsement continued:

"Heroism was the order of the day...It is the conviction of the convening authority that the possibility is high that the ship would have been lost completely had there not been the highest order of damage control competence on board, combined with the fact that the ship had secured from General Quarters for drill only minutes before the attack took place."

Early on the 8th, the Joint Chiefs of Staff had issued orders for LIBERTY to move farther from the coast, even though such a move would partially degrade her mission. The messages were misrouted, delayed, and not received until after the attack. LIBERTY's Commanding Officer also had the authority to move farther to sea on his own initiative, had he any reason to believe that his ship was in danger of attack, or for any other cause. The Court found, however, that since he was in international waters, his standard identification symbols were clearly visible, and foreign aircraft had inspected him three times that day, he had no reason to believe that his ship was in danger of attack. The convening authority specifically concurred that "no indication was received by the ship prior to the attack which would have dictated a need for emergency measures."

LIBERTY continued to carry out her assignment at the location which her Commanding Officer considered optimum for that purpose. The Court reached no judgment on whether earlier arrival of the messages would have reduced the likelihood of the attack.

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In an appendix to its findings, the Court noted that LIBERTY might have been mistaken for the Egyptian supply ship EL QUSEIR. In commenting on this possibility, the Court stated: "While EL QUSEIR bears a highly superficial resemblance to LIBERTY, she more closely resembles the majority of older tramp steamers operating in ocean shipping. EL QUSEIR is less than half the size and lacks the elaborate antenna array and distinctive hull marking of LIBERTY. The location of the superstructure island, a primary recognition feature of merchant type ships, is widely different. By this criteria as a justification for attack, any ship resembling EL QUSEIR was in jeopardy."

The Court also noted reports of rumors that the town of El Arish had been bombarded from the sea, but pointed out that neither LIBERTY, with four .50 caliber machine guns, nor EL QUSEIR, which is armed with two 3-pounders, could logically be suspected of having conducted a shore bombardment.

USS LIBERTY arrived at Malta, under her own power, at 6 a.m. (local time) June 14, escorted by the destroyer USS DAVIS and the fleet tug USS PAPAGO. She was drydocked the same day.

The hole in LIBERTY's side is being patched and other repairs are being made to make it possible for her to return to the United States safely under her own power. She is expected to be in Malta until about July 10. Her home port is Norfolk, Va.

Note: Discrepancies in times in the summary and the Commanding Officer's testimony were caused by battle damage which caused clocks in various parts of the ship to stop at different times or to behave erratically. All times given are ship's local time 6 hours ahead of Washington time.

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UNCLASSIFIED TRANSCRIPT OF TESTIMONY

Commander William L. McGonagle, U.S. Navy, took the stand as a witness, was duly sworn, advised of his rights under Article 31, Uniform Code of Military Justice and examined as follows:

DIRECT EXAMINATION

Questions by counsel for the court:

Q. Please state your name, rank, organization and present duty station.

A. Commander William L. McGonagle, U.S. Navy, Commanding Officer, USS LIBERTY (AGTR-5).

Let the record show that although the witness is experiencing considerable pain from shrapnel wounds in his leg, that he voluntarily appeared at this hearing.

Q. Captain McGonagle, as you are well aware, this court of inquiry has been convened to inquire into the circumstances attendant with the armed attack on the U.S. naval vessel which you command, USS LIBERTY, which occurred on 8 June 1967. Will you please describe to the court the circumstances of that incident as you recall it?

A. At the time of the incident, LIBERTY was operating under the operational control of Commander, U. S. Sixth Fleet. The ship had arrived in its assigned operating area on the morning of 8 June 1967 after having departed from Rota, Spain on 2 June 1967. The ship was steaming in international waters and was so at all times. A "condition of readiness three, modified," was set. The "condition three, mofified" watch consisted of normal steaming watch, with the exception that one man was stationed in the forward two .50 caliber machine guns, 51 and 52. Lookouts on the bridge were designated to man machine guns 53 and 54 in the event of surprise air or surface attack. Each machine gun had a box of ammunition attached to the machine gun with a round up to but not in the chamber of each mount.

During the 0800 to 1200 watch on the morning of 8 June, at about 1030, a flight of two unidentified jet aircraft orbited the ship at about 10,000 feet, three times at a distance of approximately two miles. It was not possible to identify any insignia on the aircraft and their identity remains unknown. It was also possible to see on the 8 to 12 watch in the morning the coastline of the Sinai peninsula. Aircraft activity of an apparent propeller patrol type flying at very low altitude and parallel to and over the coast in the vicinity of El Arish was noted. It is estimated that the

altitude of this plane was approximately 500 feet. At no time did this plane approach the ship in any fashion. His distance remained approximately 12 to 15 miles.

It was possible to visually sight the minaret which is quite conspicuous at El Arish. This was used as a navigational aid in determining the ship's position during the morning and afternoon of 8 June. It became visible at about 0930 and the ship's position was verified, and was within our established operating area. Radar ranges were taken on the nearest land on the same bearing as the minaret. The minaret was also identifiable by radar. There were no other conspicuous or outstanding navigational features in the area. At about 1056 in the morning of 8 June an aircraft similar to an American flying boxcar crossed astern of the ship at a distance of about three to five miles. The plane circled the ship around the starboard side, proceeded forward of the ship and headed back toward the Sinai peninsula. This aircraft continued to return in a somewhat similar fashion approximately at 30 minute intervals. It was not possible to see any markings on the aircraft and the identity of this aircraft remains unknown. This aircraft did not approach the ship in any provocative manner. It made no attempt to signal the ship. The ship made no attempt to signal the aircraft.

At 1039B the minaret at El Arish was bearing 189°T, 17 miles. At the time the ship was on a course of 253 at speed five knots. At 1132, the ship changed course to 283 true, speed five knots and was on this course and this speed at the time of the attack. At 1310, 8 June, the ship went to general quarters for drill purposes to conduct training for a mandatory noncompetitive exercise to exercise the crew in chemical attack procedures. The drill was performed in a satisfactory manner. At the commencement of the drill it was possible to see a large billowing cloud of black smoke rising from approximately 15 to 20 miles to the west of El Arish on the beach. The exact identity of the cause and the location of this explosion is not positively known, although it was believed to be near the beach in that area. This was noted at about 1300. Before dismissing the crew from general drills, I gave the crew a short talk on the PA system, reminding them of the importance of expeditiously responding to general quarters and the setting of condition Zebra for drills and in the event of an actual attack. So that they would be impressed I pointed out to the crew at that time that the column of black smoke on the beach should be sufficient evidence that the ship was in a potentially dangerous location. I had no evidence or indication that an attack would actually be made on the ship at the time that statement was made to the crew. After conducting general drills, it is my usual practice to go to the wardroom and have a cup

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of coffee and critique the drill with the Executive Officer, Lieutenant Commander Armstrong, the Engineering Officer, Lieutenant Golden, and the Damage Control Officer, Ensign Scott, if I have not been particularly satisfied with the drill. If the drill has been satisfactory, usually I contact the officers on an individual basis at some later time during the day and indicate to them that I was satisfied with the drill and point out some of the errors in which improvement could be made and point out also to them the things that I felt had been done properly. I was satisfied with the performance of the crew for the afternoon drill and did not assemble the above-mentioned officers in the wardroom for a critique.

After general quarters was over from the drill, I lingered on the bridge for a few minutes. As I recall, the following officers were present on the bridge: LCDR Armstrong, Lt. Ennis, Lt. O'Connor, who is normally officer of the deck during general quarters, Lt. Toth, the Operations and Navigator also Intelligence Officer. Lt(jg) Painter came onto the bridge after general quarters to assume the watch as the officer of the deck. At that time, and the time was approximately 1400, I personally sighted the minaret at El Arish to be on a bearing of 142 from the ship and the range as I recall from the radar was approximately 25.5 miles. I do not know that this radar range can be verified from the records available at this time. I had also earlier in the day established a danger bearing on the minaret at El Arish to be 119 degrees true from the ship. The danger bearing was established to insure that the ship remained clear of shoal areas to the south of the southwesternmost edge of our operating area.

At this point in the preparation of my statement, I referred to the quartermaster's notebook, 12-1600 watch, Thursday, 8 June 1967. I referred to this log for the purpose of refreshing my memory as to the initial moments of the unexpected attack. The log shows that at 1355, Lt(jg) Painter relieved Lt. O'Connor as officer of the deck. The log also shows that at 1355, Ens. O'Malley, as junior officer of the deck under instruction, assumed the conn. The 12-1600 watch on Thursday, 8 June 1967 has no entry from the time frame 1356 until 1446. I shall relate in my own words and to the best of my knowledge and belief all events of which I have personal knowledge which occurred during that time frame.

About 1400 the lookouts, who were stationed on the 04 level, immediately above the bridge, reported that jet aircraft were sighted in the vicinity of the ship. At that time, I went to the starboard wing of the bridge with my binoculars and there observed one aircraft of similar characteristics, if not identical, to the two aircraft which were sighted earlier in the day and upon which a sighting report had been submitted. The relative bearing of this plane was about 135, its position angle about 45 to 50 degrees, its elevation approximately 7,000 feet, and it was approximately five to six miles from the ship. It appeared to be on a parallel course traveling in the same direction as the ship. While I observed this aircraft, I did not see it approach the ship directly in a hostile attitude.

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Within a couple of minutes, a loud explosion was heard that appeared to me to come from the port side of the ship. I immediately ordered the general alarm to be sounded, and this was done. I went from the starboard wing of the bridge to the port wing to see the area of damage. I immediately noticed that the two 55-gallon gasoline drums stowed on the 01 level, portside amidships, were burning furiously. It was evident that it would not be possible to reach the quick release lever by proceeding down the outside port ladders of the ship. I ordered the Executive Officer to go to the starboard side of the ship and proceed down to the 01 level, cross over to the port side, and there release the gasoline cans. Lieutenant O'Connor was still on the bridge and he joined the Executive Officer and both proceeded to the starboard wing of the bridge, 03 level. Approximately the time they reached the top of the ladder to proceed down, the ship received an apparent bomb hit in the vicinity of the whaleboat stowed on the 02 level starboard side, immediately aft of the bridge. Mr. Armstrong, Mr. O'Connor and others in the bridge area were thrown back into the bridge and other personnel in the pilothouse were blown from their feet. At this time, I grabbed the engine order annunciator and rang up all ahead flank.

Up to this time, the ship had one boiler on the line steaming at speed five knots. The other boiler was not on the line but pressure was being maintained in order to be able to respond to speeds in excess of that which is capable with one boiler, approximately 11 knots, should it be necessary. Earlier in the day, the Engineering Officer had requested permission to let number two boiler cool so that he could replace a steamline gasket. This permission had been granted and the boiler had started to cool from about 1200 on 8 June. I do not know whether the engine room acknowledged by the engine order telegraph the flank bell or not, but smoke immediately commenced coming out of the stack and I assumed that they did. It seemed to me that shortly thereafter the ship increased speed.

At this time I ordered a person, who I believe to have been Lt. Bennett, to report to CNO via the highcom that LIBERTY was under attack by unidentified jet aircraft and that immediate assistance was required. I do not recall whether I ordered any course changes to have the ship zig-zag or not. One helmsman was seriously injured in the starboard bridge bomb blast, and he was replaced by Quartermaster Third Brown. I do not recall who had the helm at the time of the initial attack.

The response of the crew to general quarters was very expeditious. I do not recall whether all of the bridge personnel ever arrived on station or not, but the public address system, the 21 MC, (an electrically-powered inter-com system) and most sound powered phone circuits were severed or destroyed during the initial first or second of the total number of six to eight strafing attacks that occurred.

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It seemed to me that the attacks were made in a crisscross fashion over the ship, with each attack coming at approximately forty-five second to one minute intervals. After the starboard bridge bomb hit, I ordered personnel to be organized for a fire-fighting party to put out the fire in the vicinity of the whaleboat. The whaleboat was burning furiously. It is estimated that the total air attack was completed in approximately five to six minutes. About midway during the attack, Ensign Lucas was noted on the bridge and at that time he became my assistant and assisted me in every way possible. Runners were used to relay my orders to the repair parties, to main control and other vital stations.

Sometime after the starboard bridge bomb hit while on the starboard side of the pilothouse, another attack from the starboard quarter proceeding forward was made and I was hit with flying shrapnel. I was not knocked off my feet, I was only shaken up and it made me dance around a little bit, but my injuries did not appear to me to be of any consequence. I noticed slight burns on my starboard forearm and I noticed blood oozing on my trousers right leg. Since I could walk and there was no apparent pain, I gave no further consideration to these minor injuries.

Shortly after this I opened the bridge safe and took out a camera which was maintained on the bridge to take pictures of foreign ships and aircraft. I immediately took the camera to the port wing of the bridge and there was able to take several pictures of the planes as they had passed over the ship after their attack. In an effort to obtain documentary evidence to establish the identity of the aircraft, I retained this camera in my possession throughout the remainder of the attack. Later I took pictures of the torpedo boats before and after the torpedo attack, also the helicopters which approached the ship after the attack was over. This film has been turned over to the USS AMERICA for development and further disposition.

On what appeared to be the last air attack on the ship, I observed a cylindrical object dropped from one of the aircraft as it was passing from port to starboard ahead of the ship. This object landed in the water an estimated 75 to 100 yards directly ahead of the ship. There was no explosion from this object, but it shattered into several pieces. It appeared to me that it might have been an empty wing tank but I am not certain of this.

In the latter moments of the air attack, it was noted that three high speed boats were approaching the ship from the northeast on a relative bearing of approximately 135 at a distance of about 15 miles. The ship at the time was still on course 283 true, speed unknown, but believed to be in excess of five knots. At no time did the ship stop during the air attack. It is believed that the time of initial sighting of the torpedo boats was about 1420. The boats appeared to be in

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a wedge type formation with the center boat the lead point of the wedge. Estimated speed of the boats was about 27 to 30 knots. They appeared to be about 150 to 200 yards apart. It appeared that they were approaching the ship in a torpedo launch attitude, and since I did not have direct communication with gun control or the gun mounts, I told a man from the bridge, whose identity I do not recall, to proceed to mount 51 and take the boats under fire. The boats continued to approach the ship at high speed and on a constant bearing with decreasing range.

About this time I noticed that our Ensign had been shot away during the air attack and ordered David, signalman, to hoist a second Ensign from the yardarm. During the air attack, our normal Ensign was flying. Before the torpedo attack, a holiday size Ensign was hoisted.

I alerted the crew as best I could to stand by for torpedo attack from starboard. I did not have an accurate ship's position at this time, but I knew that to the left of the ship's course at that time lie shoal waters and by turning to the left I would be approaching land, closer than had been given me in directives which I held in that instant in time. I realized that if I attempted to turn to starboard, I would expose a larger target to the torpedo boats. I elected to maintain a heading of 283 at maximum speed.

When the boats reached an approximate range of 2,000 yards, the center boat of the formation was signalling to us. Also, at this range, it appeared that they were flying an Israeli flag. This was later verified. It was not possible to read the signals from the center torpedo boat because of the intermittent blocking of view by smoke and flames. At this time, I yelled to machine gun 51 to tell him to hold fire. I realized that there was a possibility of the aircraft having been Israeli and the attack had been conducted in error. I wanted to hold fire to see if we could read the signal from the torpedo boat and perhaps avoid additional damage and personnel injuries. The man on machine gun 51 fired a short burst at the boats before he was able to understand what I was attempting to have him do. Instantly, on machine gun 51 opening fire machine gun 53 began firing at the center boat. From the starboard wing of the bridge, 03 level, I observed that the fire from machine gun 53 was extremely effective and blanketed the area and the center torpedo boat. It was not possible to get to mount 53 from the starboard wing of the bridge. I sent Mr. Lucas around the port side of the bridge, around to the skylights, to see if he could tell Quintero, whom I believed to be the gunner on machine gun 53, to hold fire until we were able to clarify the situation. He reported back in a few minutes in effect that he saw no one at mount 53.

At this time, they opened fire with their gun mounts and in a matter of seconds, one torpedo was noted crossing astern of the ship at about 25 yards. The time that this torpedo crossed the stern is believed to be about 1426.* About 1427*, without advance warning, the ship sustained a torpedo hit starboard

*Times subsequently adjusted to 1434 and 1435, respectively

side forward, immediately below the waterline. The ship immediately took a 9 degree list to starboard. Oil and debris were noted coming from the starboard side following the explosion. There was no major resultant fire from this explosion. The explosion caused the ship to come dead in the water. Steering control was lost. All power was lost. Immediately, I determined that the ship was in no danger of sinking and did not order any preparations to be made to abandon ship. It was my intention to ground the ship on shoal areas to the left of the ship's track to prevent its sinking, if necessary.

Immediately after the ship was struck by the torpedo, the torpedo boat stopped dead in the water and milled around astern of the ship at a range of approximately 500 to 800 yards. One of the boats signalled by flashing light, in English, "Do you require assistance?" We had no means to communicate with the boat by light but hoisted CODE LIMA INDIA. ** The signal intended to convey the fact that the ship was maneuvering with difficulty and that they should keep clear.

Reports received from damage control central indicated the location of the torpedo hit and that flooding boundaries had been established and that the flooding was under control. During the strafing by the torpedo boats and immediately prior to being hit by the torpedo, quartermaster third Brown, who was acting as helmsman at the time, was felled at his station.

The mess decks were designated casualty collection station and casualties were taken to the collection station by repair party personnel and other members of the crew able to assist. Following the torpedo hit, those personnel from that area who were able to do so, left their stations.

One of the torpedo boats was identified by a hull number of 204-17. Pictures were taken of the torpedo boats prior to and subsequent to the attack.

About 1515, two helicopters approached the ship and circled around and around the ship at a distance of about 100 yards. The insignia the Star of David was clearly visible. Hull number on one of the helicopters was 04 or D4. The other had a hull number of 08 or D8. It was not known whether these helicopters intended to strafe the ship or not. However, they did not approach the ship in a hostile manner, but kept pointed parallel to the ship as they continued around and never made a direct approach as such. They were not taken under fire by LIBERTY, nor did they fire at us. The torpedo boats left the general area of the ship at about 1515. About 1537, after they had departed the ship and gone to a range of about five miles, they again headed toward the ship at high speed. Their intentions were unknown. At about this same time two unidentified jet aircraft were also noted approaching the ship from our starboard side, in

** "I am not under command" (not able to control movements of ship).

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similar fashion to that which preceded the initial attack. All hands were again alerted to the possibility of repeated attacks. No attacks occurred however, and the jets disappeared from the scene. To further assist in identification of the ship, at 1611 I ordered the ship's international call sign hoisted.

Both boilers had been put back on the line at approximately 1520, but at 1523 lube oil suction was lost to the main engines and the ship again became dead in the water. The heading of the ship at this time is not known. About 1555, communications were restored, and at 1600 a message was sent providing additional information concerning the attack by unidentified aircraft and the fact that the torpedo boats had been identified as Israeli. Preliminary estimate of the number of dead and casualties, as well as the condition of the ship, was also provided.

At the time this message was being dictated to Lieutenant Bennett on the port wing of the bridge, I was lying on the deck with a tourniquet being applied to my right leg at the thigh. A few moments prior to this I felt myself blacking out from loss of blood, and called for assistance of CT1 Carpenter to apply a tourniquet. I had assumed the conn immediately upon the air attack and retained the conn until rendezvous was effected with the destroyers about 0630 on the morning of 9 June 1967, leaving the bridge only about 3 times during the night hours to make brief head calls on the 02 level.

No bodies were noted in the area of ship following the explosion. Several life rafts, however, were released and placed into the water by various crew members whom I was unable to communicate with prior to their placing the boats in the water. They exercised their initiative on the scene, and no fault can be found with their estimate not having the information that I had. When the messenger was sent to tell them to leave the lifeboats alone, that the ship was in no danger of sinking at that time, but that the lifeboats might be needed at a later time, no additional lifeboats were placed in the water.

At about 1637, the torpedo boats commenced retiring from the area without further signal or action. At this time, the ship was attempting to make good a course of 340 magnetic, at speed 8 knots. Emergency manual steering was being conducted from after steering. The amount of rudder was given to after steering over emergency rigged sound powered telephones. They would apply the rudder. When the ship had come to the approximate magnetic heading, the rudder would be shifted to attempt to maintain that heading. It was possible to maintain within plus or minus 30 degrees of the ship's heading most of the time. The exact position of the ship was not known at this time. At 1653 an attempt was made to steer and make good a course of 000 magnetic. It was not known what effect the nearby explosions might have had on the pilot house magnetic compass. The gyro compass was out. It was not known what the

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azimuth of the setting sun was, but this was used as a rough guide and it appeared that the magnetic compass had not been unduly affected. The ship's fathometer in combat was working following the attacks.

At about 1655, the fathometer sounding reported approximately 26 fathoms under the keel. Since I was not positive of the ship's position, I ordered Mr. Lucas to round up as many personnel as he could, and proceed to the forecastle and standby and anchor.. My intentions was to anchor until it became night so that I could visually sight the North Star to see whether the magnetic compass had been unduly affected or not. Once I was able to sight the North Star, then I would know in which direction the ship was actually proceeding. Mr. Lucas and personnel did go to the forecastle, and at one point I did order the port anchor to let go. But before the port anchor could be let go, I reversed my decision and backed all engines two-thirds to see if I could back clear of the apparent shoal area. I commenced backing the ship at about 1704 and continued backing until 1722, at which time the fathometer reading was approximately 48 fathoms under the keel. With the ship going ahead two-thirds and right full rudder we quickly came to a magnetic heading of about 350 magnetic and continued on to a heading of 025 magnetic about 1729. The ship was at this time making a speed of about 8 knots. At 1730, the ship lost lube oil to the main engines, and all engines were stopped. At 1731, the ship was on a heading of 022 magnetic with 50 fathoms of water under the keel. Lube oil pressure was regained to the main engines within a very short period of time, and the ship continued right to a magnetic heading of 040 at 1737, at which time 72 fathoms was indicated under the keel. At 1743, the ship's heading was 068 magnetic and 82 fathoms of water under the keel. At this time I considered the ship to have stood clear of the immediate danger of grounding and at 1748 increased speed to ten knots on a magnetic heading of 050.

The ship remained at general quarters, and reports from danage control central were to the effect that all watertight boundary bulkheads were holding satisfactory. Dr. Kiepfer, and the two corpsmen, were doing outstanding work in assisting injured crew members. They advised me from time to time of the number of casualties, the extent of injuries, and efforts being made.

At 1750, a message was received from COMSIXTHFLT to the effect that escorts were on the way and that the ship was to proceed on a course of 340 magnetic at maximum speed until 100 miles from present position, then turn 270 magnetic. The ship attempted to carry out this directive. At 1757, COMSIXTHFLT advised that escorts were proceeding to rendezvous with us at maximum speed of destroyers.

At 1841, an Israeli helicopter approached the ship and hovered at bridge level approximately 30 feet from the ship. They made various attempts to

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indicate by visual means that they wished to land a man on board. At one point, I considered granting the request, but considering the obstructions in the area of the forecastle, signalled a wave-off to them. Lettering on the tail of the helicopter was SA32K. On the fuselage were the numerals 06 or D6. At 1857, the helicopter dropped a message on the forecastle. The message was written on the back of a calling card, identified as Commander Ernest Carl Castle, Naval Attache for Air Embassy, USA. The message on the back read as follows: "Have you casualties?" We attempted to advise them by flashing light with an Aldis lamp that, "affirmative," we did have casualties. It was evident that they were unable to understand what we were saying. After some ten to fifteen minutes of unsuccessful efforts to communicate between the helicopter and the ship, the helicopter departed from the area, at a time unknown, but as dusk was approaching the ship.

Three musters were taken during the night to identify the dead, the seriously injured, and to determine those who were missing. As of 1900, 11 June, two of the persons previously reported missing, have been recovered, one by removing him directly from the space on board ship. The other was recovered by the PAPAGO, a Fleet tug steaming approximately six miles astern of the ship on the morning of 11 June. It is not known at this time whether any of the other individuals reported missing have drifted free of the space through the torpedo hole and vanished from the area. It will not be possible to determine until the ship has been drydocked and the compartment dewatered and remains recovered. Preparation of casualty messages were completed as expeditiously as possible upon the completion of the musters, and necessary message notifications sent.

The ship rendezvoused with the two destroyers on the morning of 9 June. Commander Destroyer Squadron Twelve reported on board to inspect damage and confer with the Commanding Officer. Personnel from the USS DAVIS immediately boarded the ship to render assistance with damage control and treatment of injured personnel.

I have no complaint to lodge against any officer or man on board USS LIBERTY for any acts of commission or omission during the attack and post attack phase. I have nothing but the greatest admiration for their courage, their devotion to duty, and their efforts to save the ship. As the result of my personal knowledge of the manner in which the following personnel performed their duties during the attack and post attack phase, I intend to commend Ensign Lucas; Signalman Davis; Quartermaster Third Brown; Lieutenant George Golden, Engineering Officer; and Ensign Scott, Damage Control Assistant. I have requested the officers and the petty officers of the ship to advise me of any other individuals, who, to their personal knowledge, performed in such a manner as to warrant special recognition. I also intend to address a letter of appreciation to Lieutenant Commander Bill Pettyjohn, Chief Staff Officer, COMDESRON Twelve, for the outstanding manner in which

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he has assumed the responsibilities of assisting the Commanding Officer in sailing the ship from point of rendezvous to destination of Malta. A message of condolence from the ship has been sent to BUPERS with the request that it be delivered to the next of kin at the funeral or memorial services conducted for the deceased and those missing in action. A personal letter from the Commanding Officer to the next of kin will be prepared and sent at the earliest possible time. Dr. Diepfer, and the two pharmacist mates will also be awarded letters of commendation from the Commanding Officer.

The court recessed at 1620 hours, 14 June 1967.

The court opened at 1645 hours, 14 June 1967. All persons connected with the inquiry who were present when the court recessed are again present in court. Commander William McGonagle, U. S. Navy, resumed his position on the stand as a witness.

[illegible] previously reported missing, have been recovered, [illegible] approximately six miles [illegible]

DIRECT EXAMINATION

Questions by counsel for the court:

Q: Captain, will you please continue with your description of the incident?

A: On further recollection of the event involving machine gun 53 firing; the effectiveness of the firing leads me to believe that a person, whom I believe to be QUINTERO, Boatswain Mate Seaman, to have been on station at machine gun 53 and took the torpedo boats under fire. It is possible that he evacuated his station as a result of the fire and flames from the motor whaleboat prior to Ensign Lucas' arriving to determine who was on the mount. For clarification purposes, the 50 caliber machine guns that are on board USS LIBERTY are Browning machine guns, M2, heavy barrel, with a rate of fire of 450 to 500 rounds per minute. These machine guns are mounted on a pedestal and are aircooled weapons. Two men can effectively serve the gun. One as gunner, who uses an open sight; the other individual, the leader, who keeps ammunition up to the chamber. These machine guns are manually controlled. There is no director means of controlling the fire. The limiting stops for arc of fire of these weapons consist of piping, bent in a shape to prevent the gun barrel from being pointed at a direction which would harm the ship or any portion of its structure, and the outer edge of the gun tubs themselves which offer very limited splinter protection. The machine guns themselves do not have any splinter shields attached. These machine guns are not considered mounts in the normal Navy terminology of a mount. They should be considered more as pedestal mounted machine guns.

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The time gap in the Quartermasters notebook resulted from the fact that there were insufficient number of people in the bridge area to maintain an accurate record of events as they occurred and execute the orders of the Commanding Officer simultaneously. With communications to various stations limited various personnel, as they were noted on the bridge, were used as messengers. At one time during this time frame, the only individuals seen on the bridge were Quartermaster Brown, who was on the helm, Ensign Lucas, and myself. Ensign Lucas was busy relaying my instructions to the various battle stations. The smooth log will be a reconstruction of events as recalled by the Commanding Officer, who was present on the bridge throughout the entire incident and maintained his faculties at all times during the incident.

At this time, I have related all of the events that are considered pertinent and should be brought to the attention of the board of inquiry. One additional fact, which should be noted by the board, is the fact that the chart used for plotting the ship's position and for laying out the operating area is identified as Portfolio A3259, Chart DC3924 Nov, Second Edition, September 30, 1963 (revised 5/4/64). This chart shows the approach to the operating area that the USS LIBERTY made, a diagnonal transit from northwest to southeast. It lists point A, B, and C as the proposed southernmost limit of the operating area and the intended track of LIBERTY.

Q. Captain, you mentioned in your testimony that a helicopter hovered over LIBERTY and that an object was dropped which you recovered. I show you this card, and ask you if you recognize it?

A. Yes sir, I do recognize this card. It is a calling card.

Counsel for the Court: I'd like to offer this into evidence as exhibit number 89, and to serve as identification, if there is no objection, I would like you to read it now.

A. I read from the card I now hold in my hand. It is a calling card from "Commander Ernest Carl Castle, United States Navy, Naval Attache for Air, Embassy of the United States of America, Tel Aviv." This is on the face of the card. On the back of the card is written, "Have you casualties?" It's noted that this card is smeared with oil smudges on both sides.

Q. Thank you very much. You also mentioned in your testimony that you took a camera out of your bridge safe and were able to start to take some pictures. I show you developed pictures and ask you if you recognize them?

A. Yes, I recognize most of these pictures as having been taken by myself during the attack. Some had been taken by another individual unknown, but I do recognize the scenes depicted therein.

Q. Therefore, will you mark the back of the pictures for record purposes so that identification will be known? and I offer them in evidence as Exhibit 9.

A. Yes sir, I will mark them so that they, the scene or object depicted will be clearly indicated.

President: I'd like to, at this point ask the Captain -- did you not have wounded still lying about the deck at the time this helicopter was hovering over the ship?

A. Admiral, if you mean the helicopter which the attache was in, I'm not sure that the wounded were still lying around the deck, as such. By that time, most of our wounded had been taken to the casualty collection stations. But there were people that were wounded. Whether they were evident to the Naval Attache from his position in the helicopter I do not know. There were injured on deck, however.

Counsel for the Court: In amplification of the Admiral's question, was there not a considerable amount of blood on the decks that would be obvious from a reasonable distance?

A. That is correct. There were numerous blood streams the full length from the 01 level on the forecastle to the main deck, at machine gun mount 51, where one body was still lying. I do recall that now. As I recall now, there was also another body in the vicinity of mount 51. The seriously injured were cared for before those obviously beyond help; were taken care of and removed from the place where they were hit.

Counsel for the Court: You have in your custody, USS LIBERTY charts that were used on the day of 8 June 1967?

A. Yes sir, I do.

Counsel for the Court: Will you please read the information relative to this court?

A. This is a chart of the Mediterranean Sea from Antalya Korfezi to Alexandria including Cyprus. It is further identified by Chart No. BC3924 November, second edition, September 30, 1963, revised 5--4-64. This chart shows points A, B, and C. These three points limit the southern operating area in which LIBERTY intended to operate.

Captain Lauff: Do I understand those to be the southernmost limit of your operating area?

A. These points represent a point greater, a distance from the beach, greater than that specified. The lines between point A, B and C were the intended track of LIBERTY during the forenoon and afternoon watch of 8 June 1967. The lattitude and longitude of these points are as follows: Point A --

31-27.2N 34-00E. This point is thirteen nautical miles from the nearest land. The coordinates of point B are: 31-22.3N 33-42E. This point -- is 14.6 nautical miles from nearest land. The coordinates of point C are: 31-31N 33-00E. This point is 18 nautical miles from nearest land. Closest point of approach to nearest land on a line between points A and B is 13 nautical miles. The closest point of approach to nearest land between points B and C is 14.1 nautical miles. Verbal instructions to the officers of the deck were that the ship was not to be to the south of a line connecting these points at anytime. Exhibit number 12 is a chart. The course between point A and B is 253 true. The course between point B and C is 283 true.

Counsel of the Court: Do any of the members of the Court desire to question the witness?

No response.

Witness: Exhibit number 13 is a Mediterranean Sea chart of Egypt and coastline from Damietta to El Arish. This is further identified as chart No. 3975, seventh edition, March 1931, revised 2/3/64. This chart has on it the previously described points A, B, and C. It also has on it the danger bearing established on the conspicuous minaret at El Arish of 119 degrees true from the ship. The shoal areas of five fathoms or less are circled in red to easily call attention to their location.

Counsel for the Court: Captain, do you have with you in your custody, a CIC log and the radar bearing book for USS LIBERTY?

A. Yes sir, I do.

Counsel for the Court: Request the recorder mark the radar bearing book as exhibit number 13 and the CIC log as exhibit number 14. I now offer these exhibits into evidence.

Counsel for the Court: Do any members of this Court desire to question the witness concerning the charts, exhibits 11 and 12, or the radar bearing book and the CIC log, exhibits 13 and 14.

No response.

The witness was duly warned and withdrew.

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Commander William L. McGonagle, was recalled as a witness, reminded that he was still under oath and testified as follows:

DIRECT EXAMINATION

Questions by Counsel for the Court.

Q. Captain, did you bring with you today the gyro compass record for USS LIBERTY?

A. Yes sir, I did.

Q. Is this it?

A. Yes sir, it is.

I request the recorder to mark this as exhibit number 26 and offer it into evidence as exhibit number 26.

Q. Will you please read pertinent extracts from that.

A. The ship's gyro was last inspected by the USS VULCAN qualified gyro inspection and repair personnel on 30 March 1967.

Q. Is that 30 March 1967 a timely inspection?

A. Yes sir, it is. The ship's gyro is required to be inspected whenever possible by tender or yard personnel specifically trained in this responsibility once each quarter. I would like to indicate that the log shows that the error at the time of this inspection was .1° westerly.

Counsel for the Court: I have no further questions. Does any member of the Court desire to question the witness?

President: Captain, in our previous discussions, you told me a story which I have since come to identify as remarkable humility and selfeffacement on your part which I presume has caused you not to mention in testimony the way you navigated this ship out of dangerous waters after the attack. Will you please tell the Court how, while lying on your back, with no compass except the magnetic compass, and based upon your recollection of your magnetic compass error in relation to the gyro compass book, you used the sun and subsequently the North Star to clear the area.

A. Admiral, after a time on the bridge, when I had received minor injuries, I lost considerable blood and attempts to stem the flow of blood by self-help were unsuccessful, I noticed myself beginning to lose consciousness. I immediately lay down on the deck flat on my back on the port wing and raised the bleeding leg as high as possible, resting it on my port bridge chair, and there a first class communications technician by the name of Carpenter and other persons who I don't recall at this time, applied a tournaquet to my right leg which effectively

stopped the flow of blood. I, at no time, lost consciousness and had my full faculties at all times. I realized by that time I had lost considerable amounts of blood because it was sloshing in my shoes and my right leg was completely soaked with blood. They cut the right pant leg off to get it out of the area of the wounds. I looked at my wounds at that time and they still did not appear to me to be serious and since the flow of blood had been stopped I gave no further consideration to -- I didn't consider I had any more problem in that area. I asked them to bring me coffee, fluids, a couple of salt tablets, and so forth. I conned the ship by looking aft and by being able to see the wake of the ship I was able to tell after steering which way to apply the rudder and how long to leave it on to attempt to average out the best course that I felt the ship should travel on to stand clear of possible shoal areas. I remained on my back for approximately an hour and a half. I then felt that I had regained sufficient strength that I was able to get up from the deck and con the ship from the wing of the ship and from the pilot house. I couldn't get my leg in a comfortable position so I moved from one place to the other. I couldn't stay in anyone place for too long a period of time. It seemed to me that my remaining on the bridge, this would be able to lessen the shock that the rest of the crew had received.

President: During your testimony yesterday, in relation to the loss of your quartermaster, the loss of your navigational capabilities, and related circumstances making it difficult to reconstruct navigationally and chronologically exactly what occurred, you were asked to develop in conjunction with your ships officers and through the assistance of any other assets available, such as your engineer's bell book, the CIC log, recollections of ships personnel the best available story, chronological, in words and pictorial on charts and whyfors what happened. Have you done this?

A. Yes sir, we have.

President: Would you be kind enough to submit into evidence at this time, those documents?

Counsel for the Court: I ask you if you have the chronological listing of events relative to USS LIBERTY on 8 June.

A. Yes sir, I do.

Q. Would you provide it, please?

A. Here it is.

REQUESTED 8 JUNE CHRONOLOGY FOLLOWS:

1. APPROACHING LAND FROM THE WEST DURING THE EARLY MORNING HOURS OF 8 JUNE, PROJECTED OPERATIONS OF LIBERTY FOR THE MORNING AND AFTERNOON OF THAT DAY WAS TO PROCEED TO A POINT 13 NAUTICAL MILES FROM THE COAST OF [illegible] AT 31-27.2N 34-00E (POINT ALPHA) THENCE TO 31-22.3N 33-42E (POINT BRAVO) THENCE TO 31-31N 33-03E, (POINT CHARLIE) RETRACING THIS TRACK UNTIL NEW ORDERS RECEIVED, SHIP WOULD OPERATE NORTH OF THIS TRACK LINE AT ALL TIMES, IF FIXES COULD NOT BE ACCURATELY OBTAINED AS POINT CHARLIE WAS APPROACHED IT WAS INTENDED TO HEAD

DUE NORTH UNTIL THE 1ØØ FATHOM CURVE WAS CROSSED AND THE TRACK MOVED TO THE NORTH TO MORE OR LESS MOVE BACK AND FORTH ON THE GENERAL AVERAGE OF THE 1ØØ FATHOM CURVE. NORMAL STEAMING SPEED WAS TO BE FIVE KNOTS. NORMAL STEAMING COLORS WERE FLOWN AND NORMAL NAVIGATIONAL LIGHTS LIGHTED AT NIGHT. THERE WAS NO INTENTION TO STEAM AT DARKEN SHIP AT ANY TIME AND THE SHIP DID NOT EVEN EXERCISE AT DARKEN SHIP DRILL DURING THE DEPLOYMENT.

2. ALL TIMES BRAVO UNLESS OTHERWISE INDICATED
Ø754 STEAMING ON 13ØT, SPD 1Ø KNOTS
Ø849 PASSED THROUGH POINT ALPHA CHANGED CSE TO 253T
Ø85Ø SINGLE JET A/C (UNIDENTIFIED) CROSSED ASTERN DISTANCE 3 - 5 MILES -- CIRCULED SHIP FROM STBD TO PORT AND RETURNED TO UAR MAINLANT.
Ø9Ø5 DECREASED SPD TO 5 KNOTS
1Ø56 ANOTHER A/C CIRCLED SHIP-HIGH
1126 ANOTHER A/C CIRCLED SHIP
1132 PASSED THROUGH POINT BRAVO C/C TO 283T
131Ø EXERCISED AT G.Q. DRILL
1348 SECURED FROM G.Q. DRILL.
1351 3 SMALL SURFACE CONTACTS HELD ON RADAR 32,ØØØ YARDS BEARING Ø82T -- REPORTED TO BRIDGE AS 3 SURFACE CONTACT
1353 RADAR REPORTS POSSIBLE A/C PASSING OVER SURFACE CONTACTS.
1358 SINGLE A/C SIGHTED APPROACHING SHIP FROM 135 DEG RELATIVE 5 - 6 MILES DISTANCE, ALTITUDE APPROXIMATELY 7ØØØ FT.
A/C PASSED DOWN TRACK OF SHIP
14Ø3 LOUD EXPLOSION -- PORT SIDE AMIDSHIPS.
14Ø5 SOUNDED GENERAL ALARM -- LARGE FIRE IN VICINITY OF FRAME 85, Ø1 LEVEL WHERE FUEL FOR MOTOR DRIVEN FIRE PUMPS ARE LOCATED.
14Ø5 ALL AHEAD FLANK SIGNALLED BY ENGINE ORDER TELEGRAPH.
14Ø5 - 141Ø SHIP UNDER REPEATED AIR ATTACK WITH TWO OR MORE A/C MAKING COORDINATED STRAFING, ROCKET, AND INCENDIARY RUNS OVER SHIP. THREE MAJOR FIRES TOPSIDE COVERING LARGE AREAS OF SHIP WITH FLAMES AND HEAVY SMOKE A TOTAL OF EIGHT MEN WERE KILLED OR DIED AS A RESULT OF INJURIES RECEIVED DURING THE AIR ATTACK, ONE KILLED AND ONE MORTALLY WOUNDED ON BRIDGE, TWO KILLED AT MACHINE GUN 51, ONE KILLED AT MACHINE GUN 52; ONE DIED FROM WOUNDS RECEIVED ON THE MAIN DECK STARBOARD SIDE AND TWO DIED OF WOUNDS RECEIVED ON THE Ø1 LEVEL PORT SIDE. APPROXIMATELY SEVENTY FIVE WOUNDED, INCLUDING COMMANDING OFFICER, THROUGHOUT TOPSIDE AREA FROM SHRAPNEL AND SHOCK OF EXPLODING ROCKETS.
141Ø BEGAN MAKING TURNS FOR 18 KNOTS.
1424 3 MTB'S SIGHTED ABAFT STARBOARD -- BEAM DISTANCE 4 - 5 MILES
1426 NOTICED NORMAL STREAMING ENSIGN SHOT AWAY DURING AIR ATTACK HOLIDAY SIZE ENSIGN HOISTED ON PORT YARDARM.
1428 MTB SIGNALING BY FLASHING LIGHT FROM STBD QUARTER. LIGHT OBSCURED BY DENSE SMOKE FROM BURNING MOTOR WHALEBOAT.
143Ø ONE ROUND FIRED BY MACHINE GUN 51. C.O. ORDERED HOLD FIRE.
1431 MACHINE GUN 53 OPENED FIRE. C.O. SENT ENS LUCAS AROUND PORT SIDE OF BRIDGE TO GET MACHINE GUN 53 TO CEASE FIRING.
1431 WORD PASSED TO STANDBY FOR TORPEDO ATTACK TO STARBOARD.
MTB COMMENCED STRAFING STARBOARD SIDE OF SHIP
1434 TORPEDO PASSED 75 YARDS ASTERN OF SHIP.
1435 TORPEDO HIT STARBOARD SIDE AMIDSHIPS.
TWENTY SIX MEN DIED AS A RESULT OF THE TORPEDO HIT AND MTB STRAFING FIRE.

(MORE)

1435 LOST ELECTRICAL POWER THROUGHOUT THE SHIP.
1436 LOST STEAM PRESSURE -- SECURED ENGINES AND BOILERS -- MANY GAUGES AND METERS IN FIREROOM AND ENGINE ROOM WERE KNOCKED OUT.
1440 MTB'S STANDING AWAY FROM THE SHIP. ONE MTB HAS HULL NUMBER 206-17.
1503 ONE MTB RETURNED TO SHIP AND SIGNALLED "DO YOU NEED HELP" IN ENGLISH C.O. SIGNALLED "NEGATIVE"
1505 MTB'S RETIRED TOWARD SHORE
1507 HELICOPTER BEARING STAR OF DAVID MARKINGS APPROACHED SHIP, PORT SIDE, HOVERING AT ABOUT 500 YDS DISTANCE.
1508 SECOND HELICOPTER APPROACHED SHIP. MARKINGS ON HELICOPTERS ARE 04 and 08 OR D4 and D8. HELICOPTER MADE REPEATED PASSED AROUND AND OVER SHIP. THEY WERE NOT OBSERVED TO PICK UP ANY BODIES, PERSONS OR DEBRIS.
1519 POWER RESTORED TO BRIDGE BUT RUDDER DID NOT ANSWER -- CONTINUED STEERING FROM AFTER STEERING.
1536 MTB'S APPROACHING SHIP STARBOARD SIDE 7-8 MILES DISTANT. DURING NEXT HOUR AND A QUARTER THE MTB'S RETURNED TO THE SHIP AND BY 1711 THEY HAD RETIRED OUT OF SIGHT OVER THE HORIZON.
1615 TWO UNIDENTIFIED JET A/C APPROACHED SHIP FROM THE STEB SIDE AND RECONNOITERED FROM A DISTANCE.
1620 ATTEMPTING TO CLEAR AREA STEERING NORTHERLY COURSE AT SPEEDS VARYING FROM 0 to 8 KNOTS. PERSONNEL CASUALTIES WERE TREATED IN THE WARDROOM ON A CONTINUING BASIS, DAMAGE CONTROL AND FIRE FIGHTING CONTROLLED FLOODING AND DAMAGE, ENGINEERING CASUALTIES WERE RESTORED. BUT STEERING WAS BY HAND FROM AFTER STEERING.
1845 ISRAELI HELICOPTER APPROACHED SHIP -- CIRCLED CLOSE ABOARD AND ATTEMPTED TO SIGNAL -- THEY APPEARED TO DESIRE TO LOWER SOMEONE TO THE DECK -- C.O. CONSIDERED RECEIVING HIM ON FORECASTLE BUT RULED THIS OUT AS TOO HAZARDOUS REPEATED ATTEMPTS TO COMMUNICATE WERE UNSUCCESSFUL. AND AT 1852 COPTER DROPPED A MESSAGE PACKET ON FORECASTLE, THE MESSAGE, WRITTEN ON A CALLING CARD OF THE U.S. NAVAL ATTACHE TEL AVIV, ASKED "HAVE YOU CASUALTIES"

SHIP TRIED BY SEVERAL MEANS TO INDICATE, DURING NEXT TEN MINUTES THAT THERE WERE MANY CASUALTIES BUT THERE WAS NO INDICATION THAT THE MESSAGE WAS UNDERSTOOD, THE MUTILATED BODIES OF THREE DEAD CREW MEMBERS HAD NOT YET BEEN REMOVED FROM THE FORECASTLE AND MUST HAVE BEEN OBSERVED FROM THE HELICOPTER. THE HELICOPTER DEPARTED THE SHIP SHORTLY BEFORE SUNSET (ABOUT 1905) SHIP CONTINUED STEAMING THROUGH NIGHT TO RDVU WITH ESCORTS DISPATCHED BY COMSIXTHFLT.

3. FOREGOING CONSTITUTES DETAILED RECONSTRUCTION FROM QM NOTEBOOK, CIC LOG, BELL BOOK AND BEST RECOLLECTION OF CO/CHIEF ENGR/GUN /BRIDGE PERSONNEL. ALL CONCUR

Counsel for the Court: Captain, do you have with you today your readiness file and your gunnery procedures?

A. Yes sir, I have.

Counsel for the Court: Captain, do you have with you information as to the number of bullet marks on USS LIBERTY as a result of the attack on 8 June 1967?

(MORE)

A. Yes sir, I have had a topside inspection of the ship made and have recorded the number of projectile hits in various areas of the ship.

President: What was the total number of hits you took, Captain?

A. We took a total of 821 plus one torpedo hit.

Counsel for the Court: That does not include shrapnel marks?

A. No sir, that does not include shrapnel marks which are innumerable.

Counsel for the Court: Does the Court desire to question this witness further?

Captain ATKINSON: One question, on your open fire doctrine, what is your open fire doctrine?

A. The open fire doctrine is that, except in a melee, all fire will be controlled by the Commanding Officer through his normal gunnery control organization. At surprise air and surface attacks, the gunnery personnel on the mounts are authorized to open fire if they are unable to communicate with gun control or the bridge.

- E N D -

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